

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Baccalaureate Savings Act is amended by
5 changing Section 8 as follows:

6 (110 ILCS 920/8) (from Ch. 144, par. 2408)

7 Sec. 8. Grant Program. The proceedings of the Governor and
8 the Director of the Governor's Office of Management and Budget
9 authorizing the issuance of College Savings Bonds shall also
10 provide for a grant program of additional financial incentives
11 to be provided to holders of such Bonds to encourage the
12 enrollment of students at Institutions of Higher Education
13 located in the State of Illinois. The Grant Program of
14 financial incentives shall be administered by the State
15 Scholarship Commission pursuant to administrative rules
16 promulgated by the Commission. Such financial incentives shall
17 be in such forms as determined by the Governor and the Director
18 of the Governor's Office of Management and Budget at the time
19 of the authorization of such College Savings Bonds and may
20 include, among others, supplemental payments to the holders of
21 such Bonds at maturity to be applied to tuition costs at
22 institutions of higher education located in the State of
23 Illinois. The Commission may establish, by rule,

1 administrative procedures and eligibility criteria for the
2 Grant Program, provided that such rules are consistent with the
3 purposes of this Act. The Commission may require bond holders,
4 institutions of higher education and other necessary parties to
5 assist in the determination of eligibility for financial
6 incentives under the Grant Program. All grants shall be subject
7 to annual appropriation of funds for such purpose by the
8 General Assembly; however, there shall be no expiration date
9 placed on grants awarded under this Section and any person who
10 is denied disbursement of a grant due to a lack of funding
11 shall remain eligible for disbursement of that grant until such
12 time as funding becomes available, provided that he or she
13 properly applies for disbursement of the grant on an annual
14 basis. Notwithstanding any other rulemaking authority that may
15 exist, neither the Governor nor any agency or agency head under
16 the jurisdiction of the Governor has any authority to make or
17 promulgate rules to implement or enforce the provisions of this
18 amendatory Act of the 95th General Assembly. If, however, the
19 Governor believes that rules are necessary to implement or
20 enforce the provisions of this amendatory Act of the 95th
21 General Assembly, the Governor may suggest rules to the General
22 Assembly by filing them with the Clerk of the House and the
23 Secretary of the Senate and by requesting that the General
24 Assembly authorize such rulemaking by law, enact those
25 suggested rules into law, or take any other appropriate action
26 in the General Assembly's discretion. Nothing contained in this

1 amendatory Act of the 95th General Assembly shall be
2 interpreted to grant rulemaking authority under any other
3 Illinois statute where such authority is not otherwise
4 explicitly given. For the purposes of this amendatory Act of
5 the 95th General Assembly, "rules" is given the meaning
6 contained in Section 1-70 of the Illinois Administrative
7 Procedure Act, and "agency" and "agency head" are given the
8 meanings contained in Sections 1-20 and 1-25 of the Illinois
9 Administrative Procedure Act to the extent that such
10 definitions apply to agencies or agency heads under the
11 jurisdiction of the Governor. Such financial incentives shall
12 be provided only if, in the sole judgment of the Director of
13 the Governor's Office of Management and Budget, the cost of
14 such incentives shall not cause the cost to the State of the
15 proceeds of the College Savings Bonds being sold to be
16 increased by more than 1/2 of 1%. No such financial incentives
17 shall be paid to assist in the financing of the education of a
18 student (i) in a school or department of divinity for any
19 religious denomination or (ii) pursuing a course of study
20 consisting of training to become a minister, priest, rabbi or
21 other professional person in the field of religion.

22 (Source: P.A. 94-793, eff. 5-19-06.)